

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 22-mj-03139-AOR

UNITED STATES OF AMERICA

vs.

LEONCIO AGUERO,

Defendant.

_____ /

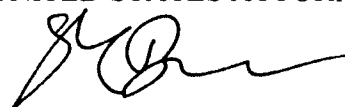
CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? ___ Yes x No
3. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? ___ Yes x No

Respectfully submitted,

JUAN ANTONIO GONZALEZ
UNITED STATES ATTORNEY

BY: _____


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AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

United States of America

v.

LEONCIO AGUERO,

Defendant(s)

Case No. 22-mj-03139-AOR

CRIMINAL COMPLAINT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 26, 2022 in the county of Miami-Dade in the
Southern District of Florida, the defendant(s) violated:

Code Section
Title 18 U.S.C. § 1957(a)

Offense Description
Money Laundering

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT.

☒ Continued on the attached sheet.


Complainant's signature
James Ilbrink, U.S. Secret Service
Printed name and title

Attested to by the Applicant in accordance with the requirements of Fed.R.Crim.P. 4.1 by FaceTime

Date: 6/29/22


Judge's signature

City and state: Miami, Florida

Hon. Alicia M. Otazo-Reyes, U.S. Magistrate Judge
Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Your Affiant, James Ilbrink, being duly sworn, hereby deposes and states as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am employed as a Special Agent with the United States Secret Service ("USSS") and have been so employed since September 2019. Prior to my employment as a Special Agent, I served as an Infantry Officer in the United States Army for 6 years. Before that I served as a Special Operations Team-Alpha (SOT-A) in the United States Army's 1st Special Forces Group. During the course of my career, I have been trained to conduct criminal investigations involving or relating to the financial infrastructure of the United States, including identity theft, counterfeit U.S. currency, wire fraud, and access device fraud. I have also completed the Criminal Investigator Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia, and the Secret Service Academy in Beltsville, Maryland.

2. This affidavit is submitted in support of a criminal complaint charging that on May 26, 2022, Leoncio AGUERO violated Title 18, United States Code, Section 1957(a) (money laundering).

3. The facts contained in this Affidavit are based on my personal knowledge, as well as information provided to me by other law enforcement agents and officers involved in this investigation. Because this affidavit is being submitted for the limited purpose of establishing sufficient probable cause for the requested criminal complaint, it does not constitute all the facts known to law enforcement at this time.

PROBABLE CAUSE

4. In February 2022, an individual who claimed to be "Mario Zacco" consulted a mortgage broker about using the individual's property (13100 SW 49th Street, Southwest Ranches,

Florida 33330) as collateral for a business loan. The individual claiming to be “Mario Zacco” was actually AGUERO.

5. The mortgage broker found a lender, Capital Partners Management, to fund the loan and then referred AGUERO to Florida Title Closings to finalize the deal.

6. At first, AGUERO tried to use “Zacco Properties Inc” as the entity that would be the borrower. However, the entity’s sole officer was “Leoncio Aguero,” not “Mario Zacco,” the owner of the property. Florida Title Closings told AGUERO that he could not use this entity as the borrower because the owner of the property was not involved with the business entity attempting to borrow the money.

7. AGUERO, still claiming to be “Mario Zacco,” said that “Leoncio Aguero,” who he said was his nephew, filled out the paperwork for the entity incorrectly and he would fix it.

8. On May 10, 2022, AGUERO formed a new entity, “Zacco Properties Mgmt, LLC,” with “Mario Zacco” as its sole member.

9. On May 24, 2022, Janet Vizcaino, a mobile closer, met AGUERO at a Burger King, located at 2210 West 68 Street, Hialeah, Florida 33016. AGUERO signed the mortgage documents and provided his thumbprint¹ and a driver’s license in Mario Zacco’s name with a picture of AGUERO. As part of the closing paperwork, AGUERO filled out wire instructions and provided a Bank of America business account (898132277858).

10. The closing was completed and Zacco Properties Mgmt, LLC, with “Mario Zacco” as its sole member, obtained the mortgage in the amount of \$515,972.47 from Capital Partners Management for the property located in Southwest Ranches, Florida.

¹ The Secret Service lab matched this thumbprint to AGUERO’s thumbprint on file with the FBI.

11. According to subpoena returns, AGUERO is the sole signatory for the Bank of America business account (898132277858). That account received the wire of \$515,972.47 on May 25, 2022. AGUERO then wired the money to other accounts on which he is the sole signatory: a TD Bank account (4381900806), a JP Morgan Chase account (823522856), and another Bank of America account (898116029873).

12. On May 26, 2022, AGUERO wired from the Bank of America business account approximately \$100,000.00 to his TD Bank account, approximately \$100,000.00 to his JP Morgan Chase account, approximately \$60,000.00 to his personal Bank of America account (this transaction was captured on video and shows AGUERO interacting with the bank teller), and then withdrew approximately \$20,000.00 cash from the Bank of America business account (this transaction was also captured on video).

13. On May 27, 2022, AGUERO withdrew approximately \$20,000.00 cash from his personal Bank of America account and approximately \$20,000.00 cash from his JP Morgan Chase account.

14. On May 31, 2022, AGUERO withdrew approximately another \$20,000.00 in cash from his JP Morgan Chase account.

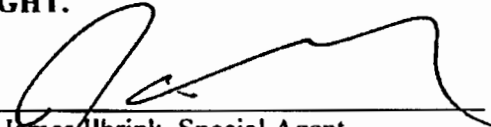
15. According to property records, the actual owner of the Southwest Ranches property is Mario Zacco, not AGUERO.

16. On or about May 27, 2022, Andrea Holloway (Mario Zacco's Attorney) and Michelle Z Marragno (Mario Zacco's daughter) called Florida Title Closings to report that Mario Zacco never applied for a mortgage on his property and the loan transaction was fraudulent.

CONCLUSION

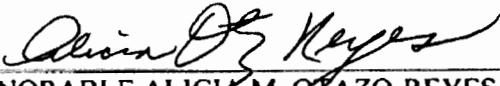
17. Based on the foregoing facts, I respectfully submit that there is probable cause to believe that on May 26, 2022, AGUERO violated Title 18, United States Code, Section 1957(a) (money laundering).

FURTHER YOUR AFFIANT SAYETH NAUGHT.


James Ilbrink, Special Agent
United States Secret Service

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by Face Time.

Date: 6/29/22


HONORABLE ALICIA M. OJAZO-REYES
UNITED STATES MAGISTRATE JUDGE